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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 CLIFFORD JAMES SCHUETT, )

12 Plaintiff, )

13 vs. )

14 US MARSHAL SERVICE, *et al.* )

15 Defendants. )  
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2:13-cv-01063-JCM-GWF


**ORDER**

17 Plaintiff is a prisoner in federal custody. On July 29, 2013, the court dismissed this action  
18 for failure to state a claim for which relief may be granted (ECF #21), and judgment was entered on July  
19 30, 2013 (ECF #22). The court found that plaintiff was unable to pay the filing fee in full, and therefore,  
20 plaintiff's application to proceed *in forma pauperis* was granted. However, the complaint is subject to  
21 the provisions of the Prisoner Litigation Reform Act. In all such cases, even if the action is dismissed,  
22 or is otherwise unsuccessful, the full filing fee shall still be due. In all such cases, 20% of the preceding  
23 month's deposits to the prisoner's account (in months that the account exceeds \$10.00) is paid toward  
24 the filing fee until the full three hundred fifty dollar (\$350.00) filing fee has been paid in full, pursuant  
25 to 28 U.S.C. §1915, as amended by the Prisoner Litigation Reform Act of 1995. Accordingly, plaintiff's  
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1 request for dismissal of the court's order for payment of filing fees (ECF #23), based on his assertions  
2 that his complaint has been dismissed and that he is indigent, must be denied.

3 **IT IS THEREFORE ORDERED** that plaintiff's request for dismissal of the court's  
4 order for payment of filing fees (ECF #23) is **DENIED**.

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6 Dated August 15, 2013.

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9 UNITED STATES DISTRICT JUDGE  
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